
STATUTORY INSTRUMENTS

2007 No. 1711

The Transfrontier Shipment of Waste Regulations 2007

PART 1

Introduction

Title and commencement

1. These Regulations may be cited as the Transfrontier Shipment of Waste Regulations 2007 and come into force on 12th July 2007.

Application

^{F1}2.

F1 [Reg. 2](#) revoked (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014](#) (S.I. 2014/861), [regs. 1, 3](#) (with [reg. 23](#))

Scope of the Regulations

3. These Regulations do not apply to the transit of waste occurring only through the marine area.

Interpretation

4.—(1) In these Regulations—

“Annex VII document” means the document set out in Annex VII to the Community Regulation;

“authorised person” means a person authorised by a competent authority in accordance with regulation [^{F2}50A(1)] ;

[^{F3}“[Commission Regulation \(EC\) No 1418/2007](#)” means [Commission Regulation \(EC\) No 1418/2007](#) concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply;]

“the Community Regulation” means Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste;

[^{F4}“competent authority” means a competent authority within the meaning of regulation 6 or 7;

“the English area” means that part of the marine area which is not the Northern Irish area, the Scottish area or the Welsh area;]

[^{F5}“the marine area” means—

- (a) the area of sea within the seaward limits of the territorial sea adjacent to the United Kingdom, including—
 - (i) any area submerged at mean high water spring tide, and
 - (ii) the waters of every estuary, bay, river or channel, so far as the tide flows at mean high water spring tide,
- (b) the seabed and the subsoil within any area designated under subsection (7) of section 1 of the Continental Shelf Act 1964 (exploration and exploitation of continental shelf), and
- (c) waters superjacent to the seabed and the seabed and its subsoil within any area designated under subsection (4) of section 84 of the Energy Act 2004 (exploitation of areas outside the territorial sea for energy production);]

[^{F6}“the Northern Irish area” means such of the marine area adjacent to Northern Ireland which lies to the west of the Northern Irish border;]

“notifiable waste” means waste that is subject to the prior written notification and consent procedures of Title II of the Community Regulation, by virtue of any provision of that Regulation;

[^{F7}“the Scottish area” means such of the marine area adjacent to Scotland which lies to the north of the Scottish border and east of the Northern Irish border;]

“waste vessel” means any vessel or any part of any vessel that is in itself waste within the meaning of the Community Regulation.

[^{F8}“the Welsh area” means such of the marine area adjacent to Wales which lies within the Welsh border;

“working day” means any day except a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.]

[^{F9}(1A) In these Regulations—

- (a) any reference to England, Wales, Scotland or Northern Ireland excludes any part of the marine area; and
- (b) except in the case of any reference to the territorial sea adjacent to the United Kingdom and in the definition of “Dividing Line” in regulation 4A(4), any reference to the United Kingdom includes the marine area.]

(2) Expressions used in these Regulations that are also used in the Community Regulation have the same meaning in these Regulations as they have in the Community Regulation.

(3) Any reference in these Regulations to—

- (a) an Article is, save where the context otherwise requires, a reference to an Article of the Community Regulation;
- (b) the Community Regulation is a reference to that Regulation as amended from time to time[^{F10};
- (c) [Commission Regulation \(EC\) No 1418/2007](#) is a reference to that Regulation as amended from time to time].

F2 Word in reg. 4(1) substituted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **4(2)(a)** (with reg. 23)

F3 Words in reg. 4(1) inserted (5.2.2008) by [Transfrontier Shipment of Waste \(Amendment\) Regulations 2008 \(S.I. 2008/9\)](#), regs. 1, **3(1)**

F4 Words in reg. 4(1) inserted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **4(2)(b)** (with reg. 23)

- F5** Words in reg. 4(1) substituted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **4(2)(c)** (with reg. 23)
- F6** Words in reg. 4(1) inserted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **4(2)(d)** (with reg. 23)
- F7** Words in reg. 4(1) inserted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **4(2)(e)** (with reg. 23)
- F8** Words in reg. 4(1) inserted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **4(2)(f)** (with reg. 23)
- F9** Reg. 4(1A) inserted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **4(3)** (with reg. 23)
- F10** Reg. 4(3)(c) and semicolon inserted (5.2.2008) by [Transfrontier Shipment of Waste \(Amendment\) Regulations 2008 \(S.I. 2008/9\)](#), regs. 1, **3(2)**

[^{F11}The Northern Irish border, the Scottish border and the Welsh border

4A.—(1) In these Regulations, “the Northern Irish border” means a line joining the co-ordinates numbered 1 to 12 in Part 1 of Schedule A1.

(2) In these Regulations, “the Scottish border” means—

(a) in the North Sea, a line—

- (i) joining the co-ordinates numbered 1 to 7 in Part 2 of Schedule A1,
- (ii) then following, in a south easterly direction, the seaward limits of the territorial sea adjacent to the United Kingdom until the co-ordinate 55° 50' 00" N; 1° 27' 31" W, and
- (iii) then following, in an easterly direction, the parallel of latitude 55° 50' 00" N until its intersection with the Dividing Line; and

(b) in the Irish Sea, a line—

- (i) joining the co-ordinates numbered 1 to 8 in Table 1 of Part 3 of Schedule A1,
- (ii) then following the seaward limits of the territorial sea adjacent to the United Kingdom until the co-ordinate numbered 1 in Table 2 of Part 3 of Schedule A1, and
- (iii) then joining the co-ordinates numbered 1 to 3 in Table 2 of Part 3 of Schedule A1.

(3) In these Regulations, “the Welsh border” means a line—

- (a) joining the co-ordinates numbered 1 to 8 in Table 1 of Part 4 of Schedule A1,
- (b) then following the seaward limits of the territorial sea adjacent to Wales until the co-ordinate numbered 15 in Table 2 of Part 4 of Schedule A1, and
- (c) then joining the co-ordinates numbered 15 to 1 in Table 2 of Part 4 of Schedule A1.

(4) In this regulation—

“co-ordinate” means a co-ordinate of latitude and longitude on the World Geodetic System 1984;

“Dividing Line” means the dividing line as defined in Article 1 of the Agreement between the United Kingdom and the Federal Republic of Germany relating to the Delimitation of the Continental Shelf under the North Sea between the two countries, signed in London on 25th November 1971;

“line” means a loxodromic line.

- F11** Reg. 4A, 4B inserted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, **5** (with reg. 23)

Offshore installations

4B.—(1) In these Regulations, “offshore installation” means an installation or structure, other than a ship, situated in the waters of, or on or under the seabed in, the marine area and used for carrying on any of the following activities—

- (a) the exploitation, or the exploration with a view to exploitation, of mineral resources in or under the shore or bed of waters in the marine area;
- (b) the exploration of a place in, under or over such waters with a view to the storage of gas;
- (c) the conversion of a place under the shore or bed of such waters for the purpose of storing gas;
- (d) the storage of gas in, under or over such waters or the recovery of gas so stored;
- (e) the unloading of gas at a place in, under or over such waters;
- (f) the conveyance of things by means of a pipe, or system of pipes, constructed or placed on, in or under the shore or bed of such waters;
- (g) the provision of accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, for the carrying on of an activity in this paragraph.

(2) In paragraph (1)—

- (a) “gas” means—
 - (i) gas as defined in section 2(4) of the Energy Act 2008, or
 - (ii) carbon dioxide;
- (b) “installation” includes an installation as defined in section 16 of the Energy Act 2008;
- (c) “ship” includes a hovercraft, submersible craft and any other floating craft but not a vessel which—
 - (i) permanently rests on or is permanently attached to the seabed, or
 - (ii) is an installation as defined in section 16 of the Energy Act 2008;
- (d) references to storing gas include storing gas with a view to its permanent disposal.]

F11 Reg. 4A, 4B inserted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, 5 (with reg. 23)

Meaning of transport and person who transports waste

5.—(1) Any reference in these Regulations to transport includes consigning for transport.

(2) Any reference in these Regulations to a person who transports waste includes the following persons—

- (a) the notifier;
- (b) any transporter of waste, by land or otherwise—
 - (i) into or in the United Kingdom; or
 - (ii) from the United Kingdom;
- (c) any freight-forwarder; or
- (d) any other person involved in the shipment of waste.

Competent authorities of destination and dispatch

- [^{F12}6. The competent authorities of destination and dispatch ^{F13}... are—
- (a) in England and the English area, the Environment Agency;
 - (b) in Wales and the Welsh area, the Natural Resources Body for Wales;
 - (c) in Scotland and the Scottish area, the Scottish Environment Protection Agency;
 - (d) in Northern Ireland and the Northern Irish area, the Department of [^{F14}Agriculture, Environment and Rural Affairs] in Northern Ireland.]

- F12** Reg. 6 substituted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, 6 (with reg. 23)
- F13** Words in reg. 6 omitted (31.12.2020) by virtue of [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), 14; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in reg. 6(d) substituted (15.3.2019) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(1), 4

Competent authority of transit

[^{F15}7.—(1) The Environment Agency is the competent authority of transit for the United Kingdom
^{F16}....

(2) The Natural Resources Body for Wales, the Scottish Environment Protection Agency and the [^{F17}Department of Agriculture, Environment and Rural Affairs] in Northern Ireland must supply the Environment Agency with any information which the Environment Agency may require in connection with its functions as the competent authority of transit [^{F18}under the Community Regulation].]

- F15** Reg. 7 substituted (1.5.2014) by [The Transfrontier Shipment of Waste \(Amendment\) Regulations 2014 \(S.I. 2014/861\)](#), regs. 1, 7 (with reg. 23)
- F16** Words in reg. 7(1) omitted (31.12.2020) by virtue of [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), 15(a); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in reg. 7(2) substituted (15.3.2019) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(1), 5
- F18** Words in reg. 7(2) inserted (31.12.2020) by [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), 15(b); 2020 c. 1, Sch. 5 para. 1(1)

Correspondent

^{F19}8.

- F19** Reg. 8 omitted (31.12.2020) by virtue of [The International Waste Shipments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/590\)](#), regs. 2(2), 16; 2020 c. 1, Sch. 5 para. 1(1)

Notices

- 9.—(1) Any notice under these Regulations must be in writing.
- (2) A notice may be subject to conditions and may be amended, suspended or revoked by notice in writing at any time.
- (3) A notice may be served on a person by—

- (a) delivering it to him in person;
 - (b) leaving it at his proper address; or
 - (c) sending it by post or electronic means to him at his proper address.
- (4) Any such notice may—
- (a) in the case of a body corporate, be served on the secretary or clerk of that body;
 - (b) in the case of a partnership, be served on a partner or a person having the control or management of the partnership business.
- (5) If the person to be served with any such notice has specified an address in the United Kingdom other than his proper address as the one at which he or someone on his behalf will accept notices of the same description as those notices, that address is also to be treated for the purposes of this regulation as his proper address.
- (6) For the purposes of this regulation, “proper address” means a person’s last known address, which for the purposes of paragraph (3)(c) includes an e-mail address, except that—
- (a) in the case of a body corporate or its secretary or clerk it is the address of the registered or principal office of that body;
 - (b) in the case of a partnership, partner or person having the control or management of the partnership business, it is the principal office of the partnership,
- and for the purposes of this paragraph, the principal office of a company registered outside the United Kingdom or of a partnership carrying on business outside the United Kingdom is its principal office within the United Kingdom.

Transitional provisions

^{F20}10.

<p>F20 Reg. 10 omitted (31.12.2020) by virtue of The International Waste Shipments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/590), regs. 2(2), 17; 2020 c. 1, Sch. 5 para. 1(1)</p>
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Changes to legislation:

There are currently no known outstanding effects for the The Transfrontier Shipment of Waste Regulations 2007, PART 1.